

FILED
IN CLERKS OFFICE UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
BOSTON
2020 AUG 17 AM 11:45

VISITORS Michael Marino } Criminal #97-cr-40009-NMG.
DISTRICT COURT }
PETITIONER }
MASS. }
v. } Judge: Gorton, USDJ.
United States of America } August 1st, 2020.
Respondents. }

PETITIONER MARINO'S MOTION FOR THIS COURT TO RECONSIDER THIS COURT'S
ERRONEOUS DENIAL OF MARINO'S DOCUMENTS: 2461, 2463, 2465 and 2472
VIA: ITS JULY 2nd, 2020 COURT ORDER DOCUMENTS: 2477, 2478, 2479
AND 2480, WITHOUT ALLOWING MARINO TO REPLY TO GOVERNMENT'S
RESPONSE DOCUMENT: 2473, SEE FED.R.CIV.P. 54(b), 60(a) AND
FED.R.GRIM.P. RULE 36 TO CORRECT ABOVE ERROR

[1] On 6-17-2020, government's response to Marino's Documents: 2461, 2463, 2465 and 2472.

[2] On 7-1-2020, Marino filed a motion to extend time to reply to Government's response Document: 2473, dated 6-17-2020. See Document: 2474, dated 7-1-2020 (Marino's motion requesting until August 10th, 2020 to reply to Government's Document: 2473.

[3] On 7-2-202, this Court in error denied Marino's Documents: 2461, 2463, 2465, and 2472, without affording Marino to reply to Document: 2473. (Government's response).

[4] According to Fed.R.Civ.P. Rule 54(b), motion to reconsider, in light of this Court's inadvertent error Marino requests a meaningful opportunity for this Court to reply to Document: 2473, Government's response.

[5] Moreover, Marino requests that this Court ORDER the Clerk of Court's to correct the docket sheet concerning Documents: 2473, 2477, 2478, 2481, 2466, 2461, 2463, 2465 and 2472, inaccurately stated Marino filed for the retroactive USSG's 404 crack cocaine applications. Additional reasons for this Court to reverse, vacate and remand it-self via: sua sponte it's Court Orders depicted as: Documents: 2477, 2478, 2479, 2480, denial of Marino's Documents: 2461, 2463, 2465, and 2472.

[6] Conclusion

WHEREFORE, for all of the above specifically stated reasons, Marino most respectfully requests the following relief from this Honorable Court:

Motion denied. *SJM Cotton, USDJ* 9/11/20